

05/10/2013 First letter sent

06/06/2013 Follow up letter with remaining questions from 150 East Race St. Troy, Ohio

US EPA RECORDS CENTER REGION 5



461824

RECEIVED JUN 12 2013 *lfd*

NOTE: This is the same information for both locations that you are requesting information on. The questions with () around them were not answered in the first letter sent. I have not heard back from you on this same letter I am resending.

Attention: Sharon Jaffess

On May 7th I was faxed the information that was sent to Albert Mader (Mader Motor Mart) 225 S. Walnut St. Troy, Oh. 45373. After some inquires, I was told that this was a certified letter to Albert Mader. The letter was signed for by an employee working at this address. The company (UCI) he works for is leasing the building from S.E.T.Landgroup, owned by me. My name is Steve E. Thomas and my cell number is [REDACTED]. This property was acquired from me by a partnership that ended very bitter. Dan Mader was my partner from 01/01/05 to 07/07/06. His father was Albert Mader, who owned the building prior to Dan Mader. I have very little knowledge as to what happened in this building prior to 2005. While as a partner with Dan, we had a parts store and service center. The parts store was sold and leased to UCI in Sept. 06. The service center called Bushong's is still in business in the same building with the mailing address being Express Tire & Auto Centers1 at 100 E. Race St. Troy, Oh. 45373. Further mail regarding this issue should be mailed to my office at 110 E. Canal St. Troy, Oh. 45373.

In regards to the letter sent to Albert Mader in Oct. 2012, I was not informed by Tenants of any such letter that was mailed to that address. There is an employee named David Mader that works for UCI who I have had a problem with hiding information from me, that was sent to that address. He is the Grandson of Albert Mader. The contact information for Albert Mader is [REDACTED] 45373. Phone# [REDACTED]. Dan Mader is at [REDACTED] Phone # [REDACTED]. This information was taken out of the local phone book.

In response to the questions and to the best of my knowledge, my answers are.

1 I have helped operate this building address from 01/01/2005 to 07/07/2006 as a partner to Dan Mader. From 07/07/2006 to date I have been the sole owner of this property. Prior to 2005 I am not sure who owned the property. It had to be one of the Maders listed. I have been leasing the 225 S. Walnut side of the building to a company called UCI. The 100 E. Race St. side of the building is being leased to Express Tire & Centers1 that was started up after the partnership break up on 07/07/2006.

2 There is the possibility of the solvents listed in question 2, being in the building. I knew very little about what was sold in the parts store, other than the automotive paints and solvents that were sold there. I sold the parts store to current Tenant (UCI) in Sept. 2007. They have been leasing it since then. I have very little knowledge of what materials they currently sell, or who their suppliers are. I have little information on their employees or who does what. The parts store is called Genuine Auto Parts and the

address is 225 S. Walnut St. Troy, Oh. 45373. Their phone # 937-339-2681. The corporate address UCI at P.O.Box 14328 Rochester, NY 14614-0328. That phone number is 1-800-234-8998

3 I have no information on past or present solid waste management units.

(4) There were no leaks or spills to my knowledge

(5) There were no permits granted to my knowledge

(6) Dan Mader at [REDACTED] ([REDACTED]) and Albert Mader at [REDACTED]
[REDACTED] [REDACTED] These are the previous owners.

7 I have no knowledge of any persons or previous property owners who would be responsible for any leaks or spills on this or any property. I have heard years ago that the property next to this building used be a DP & L site. Rumor mill was, there were some liquids that may have been disposed of, on the premises, prior to the current building which is currently owned by the Re-Store. This would have been possibly 50 years ago. The address there is 150 E. Race St. Troy, Oh. 45373. I was part owner of this building with x-partner Dan Mader. I sold this building to what is now called the Habitat ReStore for Humanity in 2007. While owned there was nothing with chemicals stored there.

I have tried for 5-days now to get the original paper work on this matter. No one is helping, or they are not telling me that the paper work they received has been discarded. In any case, I have no record of page 4, 6, 8, 1, 10, and 12. So as not to hold up the information I do have, I am enclosing what I have, and asking that further information on this matter be sent directly to me. I will be more than happy to furnish the information you requested, as soon as I receive what I am missing. Please send or E-Mail the rest of this information to Steve E. Thomas(110 E. Canal St. Troy, Oh. 45373). All my contact information is on my business card.

Regards



Steve E. Thomas



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 28 2013

REPLY TO THE ATTENTION OF:
SC-5J

PROMPT REPLY NECESSARY
VIA OVERNIGHT COURIER

Express Tire and Auto Center 1, LLC
Stephen E Thomas, Registered Agent
150 East Race Street
Troy, Ohio 45373

Re: Request for Information Pursuant to Section 104(e) of CERCLA
West Troy Contaminated Aquifer Site, Troy, Ohio
CERCLIS ID No: OHN000508132

Dear Mr. Thomas:

The U. S. Environmental Protection Agency is investigating the West Troy Contaminated Aquifer Site (Site) located in Troy, Ohio. The Site's boundaries will be determined sometime after the conclusion of the Site investigation. For purposes of the Site investigation, EPA is investigating potential sources and impacts in the area roughly corresponding with the extent of the contaminated ground water plume, which is not yet precisely defined. EPA is investigating potential sources of contamination within an area of interest at the Site, which is highlighted in the map included as Enclosure 6 in this letter. EPA believes that Express Tire and Auto Center 1, may have information that is relevant to the investigation of this Site. Please see Enclosure 1 for a summary of the history of this Site. EPA asks that Express Tire and Auto Center 1, provide information and documents relating to the contamination of the Site. Please respond completely and truthfully to this Information Request and its questions in Enclosure 4 within twenty one (21) days of receipt of this letter. Instructions for completion of the response are in Enclosure 2. Definitions of terms used in this Information Request and its questions are in Enclosure 3.

Express Tire and Auto Center 1, may consider some information that EPA requests to be confidential. If Express Tire and Auto Center 1, wishes to assert a claim of business confidentiality, Express Tire and Auto Center 1, must respond to the relevant question(s) and advise EPA that it requests that the Agency treat the response as confidential business information. Directions to assert a claim of business confidentiality are in Enclosure 5.

The Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601, *et seq.*, (commonly referred to as CERCLA or Superfund) gives EPA the authority to: 1) assess contaminated sites; 2) determine the threats to human health and the environment posed by a site; 3) clean up those sites; and 4) investigate parties having potential liability at a site.

Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604(e)(2), EPA has authority to gather information and to require persons to furnish information or documents relating to:

1. The identification, nature, and quantity of materials which have been or are generated, treated, stored or disposed of at a vessel or facility or transported to a vessel or facility;
2. The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at/or from a vessel or facility; and
3. The ability of potentially liable parties to pay the costs of the cleanup.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to each question within this Information Request and within the prescribed time frame can result in an enforcement action by EPA pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5). Failure to respond and failure to justify the non-response can result in similar action under this Section. Further, Section 104(e)(5) authorizes the United States to seek penalties from a federal court of up to \$37,500 for each day of continued non-compliance. EPA considers non-compliance to be not only failure to respond to the Information Request, but also failure to respond completely and truthfully to each question in the Information Request.

The provision of false, fictitious or fraudulent statements or misrepresentations may subject Express Tire and Auto Center 1, to criminal penalties of up to \$10,000 or up to five years imprisonment, or both, under 18 U.S.C. § 1001.

EPA has the authority to use the information requested in an administrative, civil, or criminal action.

This information request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 et seq.

Return the response to EPA within twenty one (21) days of receipt of this Information Request. Mail the response to:

Fouad Dababneh, Enforcement Specialist
U.S. Environmental Protection Agency, Region 5
Superfund Division, Enforcement and Compliance Assurance Branch
77 West Jackson Boulevard, (SE-5J)
Chicago, Illinois 60604-3590



1153340909

Express Tire & Auto Centers 1, LLC

110 E. Canal St.

Troy, Ohio 45373



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 000.460
0001705877 JUN 05 2013
MAILED FROM ZIP CODE 45373

West Troy
Responses.

Lilia
7-22-13

Fouad DABABNEH Enforcement Specialist
U.S. Environmental Protection Agency Region 5
Superfund Division
77 West Jackson Boulevard SE
Chicago, Illinois 60604-3590